

EXHIBIT A



U.S. Department of Justice

*United States Attorney
Eastern District of New York*

JMK:AES
F. #2014R00501

*271 Cadman Plaza East
Brooklyn, New York 11201*

July 17, 2017

By Hand

Benjamin Brafman, Esq.
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767 Third Avenue, 26th Floor
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Re: United States v. Martin Shkreli
Criminal Docket No. 15-637 (KAM)

Dear Counsel:

The government writes this letter to provide additional material pursuant to Giglio v. United States, 405 U.S. 150 (1972) regarding anticipated government witness Timothy Pierotti. As previously disclosed, Mr. Pierotti was an employee at The Galleon Group, a hedge fund founded and run by Raj Ragaratnam. While an employee at Galleon, in approximately 2008, Mr. Pierotti executed a trade in the stock of the company Smuckers for a portfolio he managed for Galleon at the urging of Mr. Ragaratnam, who based his directive for the trade on non-public information that had been provided by an individual named Ragat Gupta.

Subsequently, Mr. Pierotti reported the trade to the Securities and Exchange Commission ("SEC") via the SEC's whistleblower program. He was then contacted by the United States Attorney's Office for the Southern District of New York in connection with the SDNY's prosecution of Mr. Gupta for insider trading. Mr. Pierotti met with prosecutors from the SDNY on a number of occasions without an attorney to provide them with information. In May 2012, Mr. Gupta went to trial, and Mr. Pierotti was subpoenaed to testify at that trial. Shortly before his anticipated testimony, he was provided with and asked to sign a non-prosecution agreement ("NPA") by prosecutors; Mr. Pierotti had not requested the NPA. The NPA provided Mr. Pierotti with protection from prosecution for the single trade in Smuckers stock in exchange for providing truthful testimony at trial. Ultimately, Mr. Pierotti was not called to testify.

Mr. Pierotti does not have a signed copy of the NPA in his files. The government has checked with the SDNY, and prosecutors there similarly have been unable to locate a signed

copy of the NPA. However, SDNY prosecutors¹ have been able to confirm the scope of the NPA provided to Mr. Pierotti prior to his anticipated testimony.

Please let us know if you have any additional questions.

Very truly yours,

BRIDGET M. ROHDE
Acting United States Attorney
Eastern District of New York

By: /s/ Alixandra Smith
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Enclosure

cc: The Honorable Kiyo A. Matsumoto (via hand delivery)

¹ The government notes that Reed Brodsky, counsel for co-defendant Evan Greebel, was a member of the prosecution team for the trial of Mr. Gupta. The government anticipates that it will seek to preclude Mr. Brodsky from cross-examination of Mr. Pierotti during any subsequent trial of Mr. Greebel.